

## NAMING YOUR BUSINESS

Naming the business is one of the most critical steps a business owner will take. Unfortunately, in the start-up process, many people do not consider the importance of name selection and its role in the success of their business. You can select a business name yourself, or you can hire a professional to do the search and file the necessary forms.

Professional assistance is available from attorneys, public relations or advertising organizations, marketing consultants and trademark agents. Several books and magazine articles are available from local libraries to help you select a name. Terms used to describe a business name include trade name, "doing business as" or "DBA," and fictitious name.

Here are some considerations in selecting a business name:

- The name should be easy to understand, spell, pronounce, remember and find in the telephone directory.
- Will it depict the image you want for the business? This may include the level of service, speed, promptness, quality, skill, low cost, timeliness, experience, effectiveness, etc.
- Can your product or service be listed as part of the name (such as health food or marketing consultants)? This may help customers remember the business name.
- Using individual letters or an acronym may make the name very difficult to find in the telephone directory. Simply adding or deleting periods, spaces or hyphens will move the alphabetical placement of the name in the directory. These simple changes may give your customers difficulty in locating your business.
- Telephone directory listings are alphabetized starting with the first word in a business name. So, first words such as "The," "An" and "A" should be carefully considered before being selected.
- The terms Corporation, Corp., Incorporated, Inc., L.L.P., etc., may be used only for businesses structured in such a manner and registered accordingly.
- Unusual spellings such as "Kar" for Car may cause your customer difficulty in finding your business name or listing.
- Avoid names similar or identical to those used by another business.

There are four places to register a business name:

- The Arizona Secretary of State's Trademark and Trade Name Office, 1700 West Washington Street, 7th Floor, Phoenix, Arizona 85007; (602) 542-6187 or statewide toll free (800) 458-5842. You may call or visit this office to determine whether the name you have in mind already has been registered. A certificate of registration is mailed in about 10 days.
- The County Recorder will register a business name. This involves filing a simple form (which may be obtained at a local stationery or legal forms store) and remitting with the required fee.
- If incorporating your business, contact the Arizona Corporation Commission, 1300 W. Washington St., Phoenix, AZ 85007, (602) 542-3230; or 400 W. Congress St., Ste. 221, Tucson, AZ 85701, (520) 628-6560. The name may be reserved for 120 days.
- If you're going to be doing business in other states, you may wish to get a Federal Trademark Registration. Information may be obtained by calling (703) 308-4357 during normal business hours (Eastern time zone), or you may request the information by mail from the Commissioner of Patents and Trade-marks, Washington, D.C. 20231. Request the free booklet Basic Facts About Trade-marks and an application. After an application is filed, a federal examiner conducts a search and notifies the applicant if a conflicting mark is found. The applicant fee covers processing and search costs, which will not be refunded even if a conflict is found and the mark cannot be registered. Processing time is approximately one year. The initial registration is for 10 years and is renewable.

You may contact a trademark professional or attorney to assist in making a preliminary search or you may utilize the official Federal Trademark files at Arizona State University, Noble Science and Engineering Library, Tempe, Arizona 85287; (602) 965-7607.